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DOCKET # 05-63 ORIGINAL

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AUG - 1 2005

Federal Communications Commission  
Office of the Secretary

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
TW-A325  
Washington, DC 20554

RE : WT Docket 05-63, Merger of Sprint Communications, Inc.  
and Nextel Corporation Ex Parte Filing

Belmont University is an EBS licensee that leases excess capacity to Sprint. Sprint has asked us to comment on concerns over the conduct in which Sprint handles lease negotiations with EBS licensees. Most notably, IMWED and Media Access Project have suggested that Sprint has used "superior size to impose terms on small EBS licensees that compromise the educational nature of the EBS band" and further suggests that "they will exert considerable influence over EBS licensees who are, generally, smaller and less sophisticated."

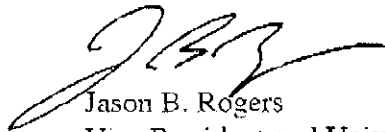
We are pleased with the long standing relationship we have with Sprint. Our institution benefits by generating the right mix of value and operational support through the lease benefits derived from our EBS spectrum. During Belmont's negotiation of new lease terms with Sprint in 2000, we found Sprint to be flexible in responding to our desired lease terms. Negotiations were conducted in an open, ethical, and professional manner, and under no point in the process did we feel compelled, strong armed, or "influenced" by Sprint to accept terms we did not feel were commercially reasonable or unlawful as IMWED implies. Sprint conducted negotiations in good faith and was responsive to the educational mission of our institution in developing a lease structure that supports our mission by providing equipment, complimentary access to tower facilities, operating support, services and lease revenues. At no time did Sprint refuse to lease from us if we desired to retain more than [5%] of our capacity.

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We are well represented by one of finest attorneys specializing in communications law in the country: Todd Gray at Dow, Lohnes, and Albertson. In addition, we collaborate with some of the best educators in the EBS community to ensure we are making a fully informed decision on our lease arrangement for our institution. To generalize that EBS licensees are "less sophisticated" as MAP does, is a discredit to our institution, our decision making process, and the educational community at large. We appreciate the relationship we have with Sprint and look forward to continued good relations with Sprint and Nextel once their merger is approved.

Sincerely,

A handwritten signature in black ink, appearing to read 'JBR', with a long horizontal flourish extending to the right.

Jason B. Rogers  
Vice President and University Counsel

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OFFICE OF UNIVERSITY COUNSEL  
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TO:	FROM: Jason Rogers
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FAX NUMBER: (202) 418-0710	TOTAL NO. OF PAGES INCLUDING COVER: 3
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RE: Letter in Support of the Sprint/Nextel Merger Proceeding Number 05-63	YOUR REFERENCE NUMBER:

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☐ URGENT    ☐ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

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NOTES, COMMENTS:

1. Proceeding: 05-63
2. Mail Correspondence To: Attorney
3. Name of Applicant/Petitioner: Belmont University
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5. Attorney Name: Jason Rogers
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